

Message

From: Carl Garvey [cgarvey@racertrust.org]
Sent: 9/8/2021 4:04:19 PM
To: Ludmer, Margo [ludmer.margo@epa.gov]
CC: Brendan Mullen [bmullen@racertrust.org]; Doyle, James [Doyle.James@epa.gov]
Subject: RE: OU-2/LCDM RD AOC and SOW

Hi Margo: Monday between 12noon and 2pm Eastern will likely be the best date/time slot for us.

Following the Second Circuit's decision, we've revisited the draft RD AOC & SOW with our litigators.

They've made a number of proposed further changes to the documents that track with the Court's decision, e.g., using the Court's definition of OU-2, and that otherwise help fully preserve RACER's right to contribution for the RD costs.

We hope to be sending that further markup to you and Jim by tomorrow (Thursday).

Assuming we accomplish that, that should give you and Jim and your client's sufficient time to review and digest these changes before a call on Monday.

My apologies in advance for the further proposed changes, but given RACER's appeal pending until recently, the AOC/SOW has been a bit of a moving target.

Thanks. --Carl

From: Ludmer, Margo <ludmer.margo@epa.gov>
Sent: Wednesday, September 8, 2021 11:54 AM
To: Carl Garvey <cgarvey@racertrust.org>
Subject: RE: OU-2/LCDM RD AOC and SOW

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Hi Carl,

Could we schedule a meeting to discuss wrapping up this order? I can be available tomorrow (other than from 9:30 AM – 10:30 AM and 2:30 PM – 3:30 PM EDT), Friday, or Monday (other than from 12:00 PM – 2:00 PM EDT). I'll see if Jim can join, as well.

Thanks,
Margo

From: Ludmer, Margo
Sent: Friday, August 27, 2021 3:59 PM
To: Carl Garvey <cgarvey@racertrust.org>; Brendan Mullen <bmullen@racertrust.org>
Cc: Doyle, James <Doyle.James@epa.gov>
Subject: OU-2/LCDM RD AOC and SOW

Carl and Brendan,

Please see the attached revisions to the 4-9-2021 drafts of the OU-2/LCDM RD AOC and SOW. I've attached both clean and redline versions of the updated drafts, which reflect written comments from RACER as well as our discussions during

recent meetings. Once you have had a chance to review the documents, please let us know your availability for a call. We look forward to discussing any final issues with you as soon as possible.

Many thanks,
Margo

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